

August 16, 2013

REGULAR MEETING AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
August 16, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 10:30 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD JULY 19, 2013

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON JULY 19, 2013?**

**WILL THE COMMISSION CORRECT A TYPOGRAPHICAL ERROR IN THE PREVIOUSLY APPROVED MINUTES OF THE JUNE 21, 2013 MEETING TO REFLECT THAT THE CORRECT POSITION NUMBER FOR ITEM V(F) IS 13851-20-03-030-20-01?**

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

**MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.**

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	142.....	16
Agriculture .....	338.....	16
Arts Council .....	17.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,483.....	113
Children and Family Services .....	2,724.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	377.....	69
Commerce Commission .....	74.....	0
Corrections .....	11,092.....	103
Criminal Justice Authority .....	56.....	5
Deaf and Hard of Hearing Comm.....	6.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	86.....	5
Employment Security .....	1,460.....	31
Environmental Protection Agency.....	804.....	16
Financial & Professional Regulation.....	431.....	43
Gaming Board .....	143.....	6
Guardianship and Advocacy .....	102.....	7
Healthcare and Family Services .....	2,120.....	25
Historic Preservation Agency.....	158.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	142.....	9
Human Services .....	11,332.....	75
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission .....	2.....	1
Insurance .....	227.....	15
Investment Board .....	3.....	2
Juvenile Justice.....	990.....	21
Labor.....	86.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd. ....	16.....	2
Lottery.....	145.....	7
Military Affairs .....	120.....	3
Natural Resources .....	1,085.....	30
Pollution Control Board .....	20.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,091.....	40
Racing Board.....	3.....	1
Revenue.....	1,757.....	51
State Fire Marshal .....	133.....	12
State Police.....	1,097.....	7
State Police Merit Board .....	5.....	1
State Retirement Systems.....	103.....	2
Transportation .....	2,206.....	0
Veterans' Affairs .....	1,295.....	9
Workers' Compensation Commission.....	130.....	8
<b>TOTALS .....</b>	<b>43,739.....</b>	<b>842</b>

**B. Governing Rule – Section 1.142 Jurisdiction B Exemptions**

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
  - 1) The amount and scope of principal policy making authority;
  - 2) The amount and scope of principal policy administering authority;
  - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
  - 4) The capability to bind the agency, board or commission to a course of action;
  - 5) The nature of the program for which the position has principal policy responsibility;
  - 6) The placement of the position on the organizational chart of the agency, board or commission;
  - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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**C1. Illinois Department of Corrections – Proposed Exemption (continued from the July 19, 2013 meeting)**

Position Number	40070-29-09-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Intelligence/Internal Investigations
Functional Title	Deputy Chief of Intelligence/Investigations
Incumbent	Vacant
Supervisor	Chief of Intelligence/Investigations who reports to the Chief Legal Counsel, who reports to the Director
Location	Sangamon County

**C2. Illinois Department of Corrections – Proposed Exemption (continued from the July 19, 2013 meeting)**

Position Number	40070-29-83-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Southern Reception/Classification and Medium Security
Functional Title	Assistant Warden-Southern Region Reception/Classification Center
Incumbent	Vacant
Supervisor	Warden who reports to the Director
Location	Randolph County

**CMS Recommendation:** “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

**D. Illinois Department of Human Services – Proposed Exemption (continued from the July 19, 2013 meeting)**

Position Number	40070-10-90-010-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Family and Community Services
Functional Title	Assistant Director-Division of Family and Community Services
Incumbent	Vacant
Supervisor	Director-Division of Family and Community Services, who reports to the Assistant Secretary who reports to the Secretary
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E. Illinois Department of Human Services – Proposed Exemption (continued from the July 19, 2013 meeting)**

Position Number	40070-10-97-555-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Family and Community Services
Functional Title	Associate Director-Family and Community Services
Incumbent	Vacant
Supervisor	Assistant Director-Family and Community Services, who reports to the Director of Family and Community Services, who reports to the Assistant Secretary, who in turn reports to the Secretary
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**F. Illinois Workers’ Compensation Commission – Proposed Exemption (continued from the July 19, 2013 meeting)**

Position Number	40070-50-37-051-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Business Systems
Functional Title	Manager of Business Systems
Incumbent	Vacant
Supervisor	Chairman
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**G. Illinois Department of Revenue – Proposed Exemption**

Position Number	40070-25-71-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Liquor Control Commission
Functional Title	Associate Director, Liquor Control Commission
Incumbent	Vacant
Supervisor	Executive Director
Location	Sangamon County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**H. Illinois Department of Insurance – Proposed Exemption**

Position Number	40070-14-04-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Deputy Director, Consumer Education and Protection Program
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**I. Illinois Department of Juvenile Justice – Proposed Exemption**

Position Number	40070-27-50-300-00-01 <sup>A</sup>
Position Title	Senior Public Service Administrator
Bureau/Division	Illinois Youth Center-Pere Marquette
Functional Title	Assistant Superintendent, Operations
Incumbent	Vacant
Supervisor	Superintendent who reports to the Deputy Director- Operations who reports to the Director
Location	Jersey County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**J. Illinois Department of Children and Family Services – Proposed Exemption**

Position Number	40070-16-66-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Child Well-Being
Functional Title	Deputy Director, Child Well-Being
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

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<sup>A</sup> The exemption for this position was previously rescinded on August 20, 2010.

**K. Illinois Workers' Compensation Commission – Proposed Exemption**

Position Number	40070-50-37-000-00-03
Position Title	Senior Public Service Administrator
Bureau/Division	Chairman's Office
Functional Title	Chief of Staff
Incumbent	Vacant
Supervisor	Chairman
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

- C1: Deputy Chief of Intelligence/Investigations (DOC)**
- C2: Assistant Warden-Southern Reception Center/Classification Center (DOC)**
- D: Assistant Director-Family and Community Services (DHS)**
- E: Associate Director-Family and Community Services (DHS)**
- F: Manager of Business Systems (Workers' Compensation Commission)**
- G: Associate Director, Liquor Control Commission (DOR)**
- H: Deputy Director, Consumer Education and Protection (Insurance)**
- I: Assistant Superintendent, Operations-Pere Marquette (Juvenile Justice)**
- J: Deputy Director, Child Well-Being (Children and Family Services)**
- K: Chief of Staff (Workers' Compensation Commission)**

**VI. CLASS SPECIFICATIONS**

- None Submitted.

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

August 16, 2013

VII. MOTION TO CLOSE A PORTION OF THE MEETING

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	6/30/13	7/31/13	7/31/12
Aging	1	<b>1</b>	2
Agriculture	2	<b>2</b>	1
Arts Council	1	<b>1</b>	1
Central Management Services	2	<b>2</b>	1
Children and Family Services	10	<b>10</b>	10
Employment Security	0	<b>0</b>	1
Healthcare and Family Services	21	<b>21</b>	4
Human Rights	0	<b>0</b>	1
Human Services	1	<b>1</b>	0
Insurance	1	<b>1</b>	0
Natural Resources	0	<b>0</b>	7
Property Tax Appeal Board	3	<b>3</b>	0
Public Health	2	<b>2</b>	0
Revenue	5	<b>5</b>	2
State Police Merit Board	1	<b>1</b>	0
Veterans' Affairs	4	<b>4</b>	4
<b>Totals</b>	54	<b>54</b>	34

X. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

**DA-22-13**

Employee	Heidi Scott	Appeal Date	12/21/12
Agency	Revenue	Decision Date	08/02/13
Appeal Type	Discharge	Proposal for Decision	Grant the Motion to Dismiss for no jurisdiction subject to the approval of the Commission
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

**S-38-13**

Employee	Brittany Boston	Appeal Date	04/08/13
Agency	Human Services	Decision Date	08/02/13
Appeal Type	Suspension	Proposal for Decision	Suspension reduced to 6 days.
ALJ	Daniel Stralka		

**DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?**

XI. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

**DA-26-13**

Employee	Georgetta Corbett	Appeal Date	01/18/13
Agency	Veterans' Affairs	Decision Date	07/30/13
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of the Commission; withdrawn (settled).
ALJ	Andrew Barris		

**DOES THE COMMISSION AFFIRM AND ADOPT THE ORDER FOR DISMISSAL IN THE ABOVE MATTER?**

XII. STAFF REPORT

XIII. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

**The next regular open meeting is to be held on Friday, September 20, 2013 at 10:30 a.m. in the Commission's Chicago office.**

XIV. MOTION TO ADJOURN